

#14
EX(1)
yRCE

Practitioner's Docket No.: 789_070

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Toshikazu HIROTA and Takao OHNISHI

Ser. No.: 09/868,832

Group Art Unit: 1634

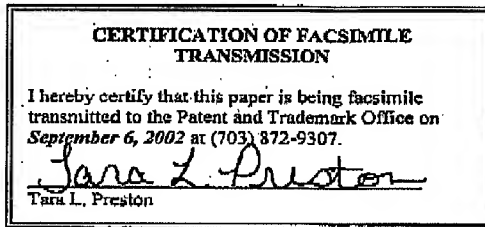
Filed: June 21, 2001

Examiner: Forman, B.

Confirmation No.: 6274

For: BIOCHIP

Box RCE
Assistant Commissioner for Patents
Washington, DC 20231



REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted (*check appropriate item(s) below*):

- i. ☒ Prior to abandonment of the application
- ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under § 1.313 was filed (copy attached).
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
 - ☐ Commencement of a civil action under 35 U.S.C. 146
 - ☐ Prior to the filing of such appeal or commencement of civil action
 - ☐ Such appeal or commencement of civil action has been terminated

PREVIOUSLY SUBMITTED DOCUMENTS

3. Please Enter and Consider the following Previously Submitted Documents:

- ☒ Amendment filed August 9, 2002.
- ☐ Brief on Appeal filed _____.
- ☐ Other:

09/16/2002 TTABB1 00000001 581446 09868832
01 FC:179
02 FC:115
03 FC:102

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ENCLOSURES

4. Enclosed herewith is/are:

- ☐ An Information Disclosure Statement and Form PTO-1449
- ☐ An Identification of Copending Application(s) and Form PTO-1449
- ☒ An Amendment
- ☐ New arguments
- ☐ New evidence in support of patentability
- ☐ Other:

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

5. This application is on behalf of:

- ☐ Small entity (and status is still as small entity) \$370.00
- ☒ Other than a small entity \$740.00
- Continued Prosecution Request Fee \$740.00

FEE FOR CLAIMS

6. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate	(7) Additional Fee
TOTAL CLAIMS	20	MINUS	32	0	\$18.00	\$0.00
INDEP. CLAIMS	5	MINUS	4	0	\$84.00	\$84.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$84.00

(c) ☐ No additional fee is required.

OR

(d) ☒ Total additional fee required is \$84.00.

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EXTENSION OF TIME

7. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension (Months)		Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/>	One Month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	Two Months	\$ 400.00	\$ 200.00
<input type="checkbox"/>	Three Months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	Four Months	\$1,440.00	\$ 720.00

Extension Fee \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

(b) ☐ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

8. The total fee(s) due is/are:

Continued Prosecution Fee (§ 1.17(e))	\$740.00
Fee(s) for additional claims (if any) (§ 1.16(b)-(d))	\$ 84.00
Extension of time fee (if any) (§ 1.17(a)(1)-(4))	\$ 110.00
Total Fee(s) Due:	\$ 934.00

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PAYMENT OF FEE(S) DUE

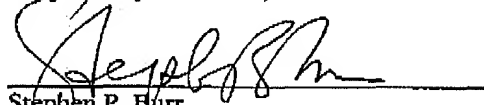
9. Please pay the fee(s) for this continued examination application as follows:

☐ Check is attached for the sum of \$

☒ Charge Deposit Account No. 50-1446 the sum of \$ 934.00.

☒ Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Deposit Account No. 50-1446.

Respectfully submitted,



Stephen P. Burr
Reg. No. 32,970

September 6, 2002

Date

SPB/SC/tlp

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